HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 19253 of 2007

Dated 6th October, 2007

Between

P.Damodar Naidu, and, ors

…Petitioners

and

The Deputy Registrar of Cooperative Societies/
Divisional Cooperative Officer, Secunderabad Division,
Hyderabad, and, ors.

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 19253 of 2007

ORDER:

The petitioners, who are the members of the second respondent-Cooperative Society, questioned the action of the first respondent in not passing orders in the dispute raised under Section 61 and Interlocutory Application filed under Section 62(4) of the AP Cooperative Societies Act, 1964.

The second respondent-Society had issued advertisement, which was published in the Eanadu Daily News Paper on 25-8-2007, for the sale of some commercial sites in the layout approved by the HUDA in its favour. The petitioners, who are the members of the second respondent-Society, have raised a dispute under Section 61 of

the A.P. Cooperative Societies Act, 1964 before the first respondent-Deputy Registrar of Cooperative societies on 7-9-2007. In the said dispute, while seeking several other reliefs, the petitioners have also questioned the advertisement issued by the second respondent for the sale of the commercial sites. Along with the main application, the petitioners have also filed an interlocutory application seeking stay of auction. On the ground that, no orders have been passed by the first respondent in the interlocutory application, the petitioners have approached this Court.

This Court, while ordering notice before admission on 11-9-2007, allowed the auction of commercial sites pursuant to the advertisement dated 25-8-2007 to go on, but however, directed that no further steps shall be taken for confirmation of the auction, pending further orders.

It is submitted by the learned Counsel for the petitioners that the interlocutory application filed by the petitioners is still pending consideration and the first respondent is not passing orders.

It is not in dispute that in the dispute raised under Section 61 of the AP Cooperative Societies Act, the petitioners have challenged the action of the second respondent for the sale of commercial sites. As much as the interlocutory application filed by the petitioners along with the Dispute raised under Section 61 of the Act is pending consideration, I dispose of the Writ Petition directing the first respondent to decide the interlocutory application filed by the petitioners and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. Till the orders are passed by the first respondent in the interlocutory application, interim

order dated 11-9-2007 passed by this Court shall be continued.

Subject to the above direction, the Writ Petition is disposed of.

No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATE: 6-10-2007
Note: CC in three daysl
(BO) Msnr.